

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

PAULA KADIM	)	
Plaintiff,	)	
	)	
v.	)	<b>Civil Action No. 04 CV 12383</b>
	)	
ADELPHIA and	)	
CIGNA GROUP INSURANCE	)	
and its affiliate Company LIFE	)	
INSURANCE COMPANY OF	)	
NORTH AMERICA	)	
Defendants.	)	
	)	

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION TO REMAND**

NOW COME Defendant Cigna Group Insurance Company and its affiliate Life Insurance Company of North America ("LINA") and Defendant Adelphia ("Adelphia"), pursuant to Rule 7.1(b)(2) of Local Rules of United States District Court for the District of Massachusetts, and hereby request that this Court deny Plaintiff's Motion to Remand Case to Gloucester District Court. As explained in the memorandum filed herewith, Defendants request that this Court deny Plaintiff's Motion to Remand because there are no appropriate grounds on which to remand this case as (1) this Court maintains exclusive jurisdiction over Plaintiff's breach of fiduciary duty claim; (2) this Court maintains federal question jurisdiction over all of Plaintiff's claims; and (3) Plaintiff's Complaint does not assert any "separate and independent" state law claims.

Respectfully submitted,

DEFENDANTS ADELPHIA and  
CINGA GROUP INSURANCE and its  
affiliate LIFE INSURANCE COMPANY OF  
NORTH AMERICA,

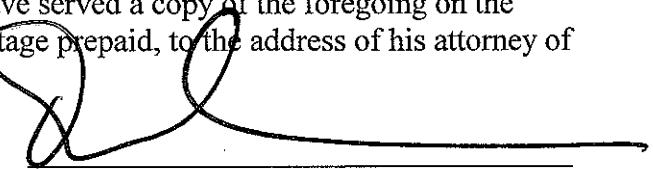
By their Attorney,



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CERTIFICATE OF SERVICE

I, David B. Crevier, hereby certify that I have served a copy of the foregoing on the plaintiff by mailing a copy, by first class mail, postage prepaid, to the address of his attorney of record, this 3 day of December, 2004.



David B. Crevier